

SEVENTH DAY

(Thursday, March 25, 1954)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

Absent—Excused

Weinert

A quorum was announced present.

The Reverend Paul L. Wallace, pastor of the Church of Christ of Gladewater, Texas, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Weinert was granted leave of absence for today, on account of illness, on motion of Senator Lock.

Senate Resolution 19

Senator Moffett offered the following resolution:

Whereas, We are honored today to have as visitors in the Capitol Building and Capital City Mr. and Mrs. Marvin P. Bryan of Wichita Falls, and

Whereas, These estimable citizens of North Texas are close relatives of Mrs. Trueman O'Quinn, a long-time Assistant Secretary of the Senate, and

Whereas, We desire to welcome these prominent citizens of Texas to

the State Capitol and the Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the courtesy of the floor for the day.

The resolution was read and was adopted.

Senate Resolution 20

Senator Phillips offered the following resolution:

Whereas, We are honored today to have in the gallery the Sixth Grade Class of the Island Rural School of Galveston County and their sponsor;

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, that these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day, and that each member of this class be furnished with a copy of this resolution.

The resolution was read and was adopted.

Senator Phillips presented the students and their sponsors to the Members of the Senate.

Senate Resolution 23

Senator Aikin offered the following resolution:

Whereas, Mr. Tommy Townsend is a visitor at the Capitol today, and

Whereas, He is the son of Hon. Cedric Townsend of Paris, and

Whereas, The Senate is delighted to have this fine young man as our guest; now, therefore, be it

Resolved, By the Senate, that Tommy Townsend be extended a hearty welcome by the Senate and he be extended the privilege of the floor today.

The resolution was read and was adopted.

Message From the Governor

The following message, received from the Governor, was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas,
March 24, 1954.

To the Senate of the Fifty-third Legislature, First Called Session:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be District Attorney for the Criminal District Court of Harris County: Ewing Werlein of Houston, Harris County.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
March 24, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 3, A bill to be entitled "An Act making an appropriation of the sum of Two Hundred Thousand (\$200,000.00) Dollars or so much thereof as may be necessary out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses, and to pay the mileage and per diem of Members and the per diem of Officers and employees of the First Called Session of the 53rd Legislature, and any other necessary expenses of the 53rd Legislature; reappropriating the unexpended balances of the appropriations previously made by Chapters 1 (S. B. No. 1) and 61 (H. B. No. 846), Acts of the 53rd Legislature, Regular Session; and declaring an emergency."

H. C. R. No. 5, Granting Leo Wyres, W. W. Jordan, and Heart o' Texas Commission Company permission to sue the State of Texas and/or the Livestock Sanitary Commission of Texas.

H. C. R. No. 6, Granting permission to Mrs. Nita Joynes to sue the State of Texas.

H. C. R. No. 9, Granting Henry Piehl, Robert Vajdak, Adolph B. Sebesta, John Kovar, Ed Jakubik, Tony Kubicek, Joe Vavra, Joe Kulhanek, B. R. Sebesta, Joe Adamek, John A. Juneke, E. G. Havel, Henry Vajdak, Jhon Maresh, Fred Juneke, Edwin

Janac, Tom Kubin, Stanley Macik, Joe Gerzik, and Tom Elsik permission to sue the State.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Bill 4 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 4, A bill to be entitled "An Act finding a Communist conspiracy in existence committed to the overthrow of the government of the United States and of this State by force or violence, constituting a clear and present danger thereto; declaring the Communist Party of the United States, including its local components in Texas, illegal; depriving it of all rights, privileges, and immunities otherwise incident thereto; providing for forfeiture of property to the State and procedure for recovery thereof; making membership in, or participation in the violent overthrow activities of such party a felony; providing a penalty; providing for severance of the Act in event of invalidity of any part; and declaring an emergency."

The bill was read second time.

Senator Bell offered the following amendment to the bill:

Amend S. B. No. 4 by adding the words "or related" before the word "component" wherever said word appears in the bill.

BELL
MOFFETT

The amendment was adopted.

On motion of Senator Kelley, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to engrossment.

Senate Bill 4 on Third Reading

Senator Kelley moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 4 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

Absent—Excused

Weinert

Message From the Governor

The President laid before the Senate, and directed the Reading Clerk to read the following message received from the Governor today:

To Members of the 53rd Legislature, First Called Session:

I submit the following for your consideration at the First Called Session of the 53rd Legislature:

The making of such appropriations as may be necessary to pay deficiency

grants approved by the Governor for which no appropriations have heretofore been made; making an appropriation to pay claims arising prior to the convening of the next session of the Legislature under the deficiency grants hereafter approved by the Governor.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Bill Signed

The President signed in the presence of the Senate, after the caption had been read, the following enrolled bill:

S. B. No. 3, A bill to be entitled "An Act making an appropriation of the sum of Two Hundred Thousand (\$200,000) Dollars or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses, and to pay the mileage and per diem of members and the per diem of officers and employees of the First Called Session of the 53rd Legislature, and any other necessary expenses of the 53rd Legislature; re-appropriating certain moneys; and declaring an emergency."

Report of Standing Committee

Senator Lock, by unanimous consent, submitted the following report:

Austin, Texas,
March 25, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: your Committee on Finance, to whom was referred S. B. No. 6, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LOCK, Chairman.

Senate Bill 6 Ordered Not Printed

On motion of Senator Lock and by unanimous consent, S. B. No. 6 was ordered not printed.

Senate Concurrent Resolution 1 on Second Reading

The President laid before the Senate on its second reading the following resolution:

S. C. R. No. 1, Memorializing Con-

gress relating to proposed amendment to the Constitution on treaty-making powers.

The resolution was read.

Senator Kelley offered the following committee amendment to the resolution:

Amend S. C. R. 1, page 3, mimeographed copy in the first paragraph thereon by correcting the name of Sen. John W. Bricker, by striking out the "H" and inserting "W" therefor.

The committee amendment was adopted.

The resolution, as amended, was then adopted.

Record of Votes

Senators Corbin, Wagonseller, Russell, Secrest and Moore asked to be recorded as voting "nay" on the adoption of the above resolution.

Senate Bill 6 on Second Reading

On motion of Senator Lock, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 6, A bill to be entitled "An Act making appropriations to pay deficiency grants approved by the Governor for which no appropriations have heretofore been made; making an appropriation to pay claims arising prior to the convening of the next session of the Legislature under deficiency grants hereafter approved by the Governor which are payable from the General Revenue Fund; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 6 on Third Reading

Senator Lock moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 6 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin
Ashley

Bell
Bracewell

Colson	Parkhouse
Corbin	Phillips
Fuller	Rogers
Hardeman	of Childress
Hazlewood	Rogers of Travis
Kazen	Russell
Kelley	Rutherford
Lane	Sadler
Latimer	Secrest
Lock	Shireman
Martin	Strauss
McDonald	Wagonseller
Moffett	Willis
Moore	

Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

Absent—Excused

Weinert

Executive Session

On motion of Senator Bracewell, and by unanimous consent, the Senate agreed to hold an executive session at 11:52 o'clock a. m. today.

Accordingly, the President directed all those not entitled to attend the executive session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be Judge of the Criminal District Court No. 1 of Harris County, to succeed Judge Frank Williford, Jr., deceased:

Edmund B. Duggan of Houston, Harris County.

To be District Attorney for the Criminal District Court of Harris County:

Ewing Werlein of Houston, Harris County.

To be branch pilots for the Port of Galveston and Texas City, for two-year terms to expire March 1, 1956:

Richard C. McMains of Galveston County; Charles H. Teller of Galveston County.

To be a member of the Youth De-

velopment Council, for term to expire July 23, 1959:

Leslie Jackson of Dallas, Dallas County.

In Legislative Session

The President called the Senate to order as in Legislative Session at 11:57 o'clock a. m. today.

Adjournment

On motion of Senator Rogers of Travis, the Senate, at 11:58 o'clock a. m. adjourned until 10:30 o'clock a. m. on Monday, March 29, 1954.

Record of Votes

Senators Phillips and Bell asked to be recorded as voting "nay" on the motion to adjourn.

In Memory of
Kenneth H. Jones

Senator Willis offered the following resolution:

(Senate Resolution 21)

Whereas, On March 20, 1954, the State of Texas and the City of Fort Worth lost one of its most valuable and beloved citizens when Kenneth H. Jones was called to his Heavenly Reward; and

Whereas, Mr. Jones was born in Illinois, and had for twenty-five years been an outstanding attorney of the City of Fort Worth and was a senior law partner in the law firm of Simon, Jones and Ratliff; and

Whereas, Mr. Jones held a bachelor of arts degree from the University of Chicago and an LL.B. from the University of Texas and was a member of the local, state and American bar associations, Phi Delta Phi legal fraternity, and Sigma Chi social fraternity, and was also a board member of the First Methodist Church, Colonial Country Club, the Petroleum Club, the Downtown Lions Club and World War I Fliers Club; and

Whereas, By reason of his hard work and sagacity, he acquired a large law practice and was a friend and counselor to the rich and poor, the great and the small, and his companionship and advice were sought by his friends. He worked closely in the best interests of public affairs while never seeking nor enjoying the benefits of public office; now, therefore, be it

Resolved, That the Senate of the State of Texas does here and now pay tribute to this Christian gentleman and that we extend our sincere sympathy to his widow, Mrs. Nancy Culver Jones; three sons, Frank C. Jones, Kenneth H. Jones, Jr., and Pat Jones; his mother, Mrs. Cora Jones; a sister, Mrs. Eddie Grayson; and a brother, Paul Jones; and be it further

Resolved, That a page be set aside in the Senate Journal in honor and in memory of Kenneth H. Jones, and that a copy of this resolution be sent to members of his bereaved family, and when the Senate adjourns today it do so in memory of Kenneth H. Jones.

The resolution was read and was adopted by rising vote of the Senate.

In Memory of
J. W. Hampton

Senator Willis offered the following resolution:

(Senate Resolution 22)

Whereas, On March 22, 1954, our Heavenly Father, in His infinite wisdom, did call from his earthly labors, J. W. Hampton, of Tarrant County; and

Whereas, Mr. Hampton was born on November 7, 1861, on a ranch six miles east of Fort Worth at a place now called Retta when Fort Worth was little more than a cavalry post, and did at the age of seventeen take part in his first big cattle drive; and

Whereas, Mr. Hampton was a pioneer citizen and trail driver of Texas and contributed generously and willingly to the welfare and progress of his native community and state, devoting most of his life to the ranching industry. He operated a feed store and was an organizer and director of the Continental State Bank of Crowley; and

Whereas, With increasing sense of the loss suffered in the passing of this noble and distinguished pioneer Texan, who participated in almost a century of growth and development of this great State, the Senate of Texas desires to thus record its sorrow, and to the surviving members of the family of the deceased express its sincerest sympathy and hope that its appreciation and recognition of his useful life may, in some measure, lighten the burden of their bereavement; now, therefore, be it

Resolved, That a page in the Senate Journal be dedicated to his memory; and be it further

Resolved, That a copy of this resolution be sent to members of the bereaved family, including his five sons, Carl, Clyde, Glen, Wade and Floyd Hampton of Crowley.

The resolution was read and was adopted by a rising vote of the Senate.